IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 14248 of 1995

Between:

P.Linga Goud S/o.Chinna Goud
R/o.Nizamabad Dist.

..... PETITIONER

AND

1. The Director of Sugars, A.P., Hyderabad.

2.The Nizamabad Coop Sugar Factory Ltd., Nizamabad, rep., by its Managing Director.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction and to declare the action of the respondents in retiring the petitioner from service at the 58 years as illegal and unconstitutional and to direct the respondents to continue the petitioner in service upto the age of 60 years with all benefits.

For the Petitioner: MR.S.BRAHMANANDA REDDY, ADVOCATE.

For the Respondent No.1: GP FOR INDUSTRIES & COMMERCE

For the Respondent No.2: Sri K.RAJANNA, ADVOCATE.

The Court made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.14248 OF 1995

ORAL ORDER:

Heard both sides.

2. The issue involved in this writ petition is as regards the age of superannuation.

3. Admittedly, the age of the petitioner at the time of filing of the present writ petition was 58 years and now he would be 67 years and odd.

3. Having regard to the said fact, nothing remains for adjudication in the present writ petition and the same is liable to be dismissed as having become infructuous.

5. Accordingly, the writ petition is dismissed as having become

infructuous. However, there shall be no order as to costs.

D.S.R.VARMA, J

04TH NOVEMBER 2004

KRK

To:

1.The Director of Sugars, Hyderabad. Andhra Pradesh.
2.The Managing Director, Nizamabad Co-op Sugar Factory Limited, Nizamabad.

3.Two CCs to the Government Pleader for Industries and Commerce, High Court Buildings, Hyderabad (OUT).

4.Two CD copies.